

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Group 1, claim(s) 1-25 and 47, drawn to a dolorimeter.

Group 2, claim(s) 26, drawn to a dolorimeter.

Group 3, claim(s) 27-32, drawn to a method for quantifying applied pressure.

Group 4, claim(s) 33-43, drawn to a dolorimeter.

Group 5, claim(s) 44, drawn to a dolorimeter.

Group 6, claim(s) 45 and 46, drawn to a method for quantifying applied pressure.

2. The inventions listed as Groups 1-6 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

- a. Claims 1 is drawn to a dolorimeter comprising a housing, a sensor and a reporter. All of which are known in the art at the time of the invention.
- b. Claim 26 is drawn to a dolorimeter comprising a housing, a sensor, a reporter and a processor. All of which are known in the art at the time of the invention.
- c. Claim 27 is drawn to a method for measuring applied pressure by a practitioner wherein a dolorimeter is releasable retained on the practitioner's hand, palpating the patient, manually determining the application and location of pressure and measuring the pressure applied to the patient. All of which are known in the art at the time of the invention.
- d. Claim 33 is drawn to a dolorimeter comprising a sensor, a reporter, and a retainer. All of which are known in the art at the time of the invention.

Art Unit: 4123

e. Claim 44 is drawn to a dolorimeter comprising a sensor, an audio reporter, and a retainer. All of which are known in the art at the time of the invention.

f. Claim 45 is drawn to a method for measuring applied pressure by a practitioner comprising applying a force to an evaluation area (palpating the patient), assessing the magnitude of the force applied based on a sensor (measure the pressure applied to the patient) and obtaining an estimate of the assessed applied force magnitude. All of which are known in the art at the time of the invention.

There is a clear lack of unity of the invention because the common matter of the independent claims is well known and the remain subject matter of each clam differs from that of the others without there being any unifying novel inventive concept.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Stout whose telephone number is 571-270-5045. The examiner can normally be reached on M-F 7:30-5:00 Alternate (Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Del Sole can be reached on 571-272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS

/Joseph S. Del Sole/  
Supervisory Patent Examiner, Art Unit 4123